

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

EARL CHARLES MARTIN JR.

§

v.

§ CIVIL ACTION NO. 6:18cv46

LORIE DAVIS, ET AL.

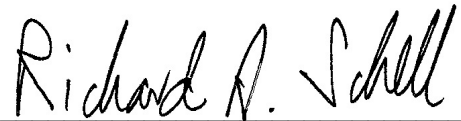
§

**ORDER OF DISMISSAL**

The above-entitled and numbered civil action was referred to United States Magistrate Judge K. Nicole Mitchell. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. The Plaintiff filed objections and sought an extension of time to pay the filing fee, which was granted, but no filing fee has been paid. The court has conducted a *de novo* review of the objections raised by Movant to the Report and concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the court. It is accordingly

**ORDERED** that the above-styled civil action is **DISMISSED** with prejudice as to the refiling of another *in forma pauperis* lawsuit raising these same claims, but without prejudice to the refiling of this lawsuit without seeking *in forma pauperis* status and upon payment of the full \$400.00 filing fee. Should Plaintiff pay this fee within 15 days after the date of entry of dismissal, he shall be allowed to proceed in this lawsuit as though the full fee had been paid from the outset. All motions not previously ruled on are **DENIED**.

**SIGNED this the 10th day of August, 2018.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE